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Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. of: Peter A. Altman Art Group: 3739
Serial No.: 10/014,445 Examiner: Lee S. Cohen
Filed: December 11, 2001 Atty. Docket: 23,403-05
Reissue of: U.S. Patent No. 5,551,427
For: Implantable Device for Penetrating and Delivering Agents to Cardiac Tissue

TRANSMITTAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing please find the following:

1. Amendment Pursuant to 37 CFR 1.116 (16 pages), including Cover (1 page), Listing of the Claims (11 pages), Status of Claims (1 page), Remarks (2 pages), and Certificate of Mailing (1 page);
2. Reissue Application – Supplemental Declaration (signed – 3 pages); and
3. Return Receipt Postcard.

The Commissioner is authorized to charge any fees necessitated by this correspondence to Deposit Account No. 12-0449.

Please direct any questions or comments to Frederick W. Niebuhr at (952) 896-1574.

Respectfully submitted,

Biocardia, Inc.

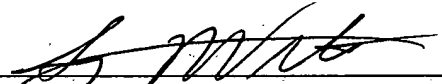
Dated: May 9, 2005

By: *Frederick W. Niebuhr*
Frederick W. Niebuhr
Registration No. 27,717
Customer No. 23452

CERTIFICATE OF MAILING

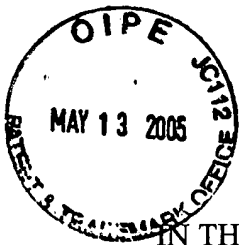
Pursuant to 37 CFR 1.8, I hereby certify that this Transmittal and accompanying Amendment Pursuant to 37 CFR 1.116, Reissue Application – Supplemental Declaration, and return receipt postcard in Application Serial No. 10/014,445 are being deposited with the U.S. Postal Service by first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of deposit indicated below.

Date of Deposit: May 9, 2005



Geralyn M. Vita

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AMENDMENT PURSUANT TO 37 CFR 1.116

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Action dated February 8, 2005, please amend this application as follows:

In the Claims:

Amend claims 27-44, 46-75, 78-79, 81-83 and 85-94 for consistency with the section entitled "Listing of the Claims," which begins on page 2 of this amendment. This amendment revises claims 29, 46, 65, 68, 72, 81-82 and 85-86. Claims 45, 76-77, 80 and 84 are cancelled by this amendment.

A section entitled "Status of Claims" (page 13) identifies the claims as either pending or cancelled.

A section entitled "Remarks" begins on page 14.